Commission for Public Complaints Against the RCMP

2010-11

Departmental Performance Report

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Minister of Public Safety

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Chair's Message

I am pleased to present the *Departmental Performance Report* of the Commission for Public Complaints Against the RCMP (CPC) for 2010–2011. The report provides an overview of the CPC's work during this fiscal year and discusses the extent to which the CPC has met its objectives, as set out in its 2010–2011 *Report on Plans and Priorities*.

In 2010–2011, the CPC received its requested interim funding from the Treasury Board's Management Reserve in order to meet the current demands of its existing mandate. With these additional funds, it was able to continue to meet and improve on its service standards, to conduct its trend analysis into complaints and areas of particular concern to the public, and increase its outreach capacity.

Ian McPhail, Q.C.
Interim Chair

Section I: Organizational Overview

Raison d'être: Vision and Mission

The Commission for Public Complaints Against the RCMP (CPC) is an independent agency created by Parliament in 1988 and is not part of the Royal Canadian Mounted Police (RCMP). The CPC's fundamental role is to provide civilian review of the conduct of the RCMP members in carrying out their policing duties, thereby holding the RCMP accountable to the public.

Vision

Excellence in policing through accountability.

Mission

To provide civilian review of RCMP members' conduct in performing their policing duties so as to hold the RCMP accountable to the public.

Responsibilities

The mandate of the CPC is set out in Part VII of the *Royal Canadian Mounted Police Act* (RCMP Act) and can be summarized as follows:

- to receive complaints from the public about the conduct of RCMP members;[1]
- to initiate complaints to delve into RCMP conduct when it is in the public interest to do so;
- to conduct reviews when complainants are not satisfied with the RCMP's handling of their complaints;
- to hold hearings and conduct investigations; and
- to report findings and make recommendations.

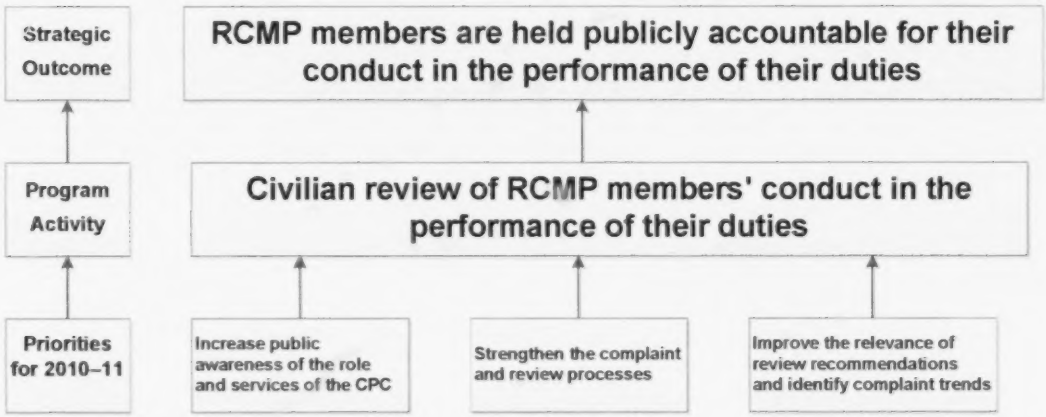
[1] Note: The term "members" as used in this document includes all persons appointed under the RCMP Act, i.e. both regular and civilian members of the RCMP.

Strategic Outcome and Program Activity Architecture

In order to effectively pursue its mandate, the CPC aims to achieve the following strategic outcome.

> RCMP members are held publicly accountable for their conduct in the performance of their duties.

The following graphic outlines the CPC's Program Activity Architecture and the priorities it set for 2010–2011.


Strategic Outcome
RCMP members are held publicly accountable for their conduct in the performance of their duties
Program Activity
Civilian review of RCMP members' conduct in the performance of their duties
Priorities for 2010–11
Increase public awareness of the role and services of the CPC
Strengthen the complaint and review processes
Improve the relevance of review recommendations and identify complaint trends

Organizational Priorities

Priority	Type	Strategic Outcome
Increase public awareness of the role and services of the CPC.	On-going	RCMP members are held publicly accountable for their conduct in the performance of their duties.
Status: Met All		
• An EKOS study found that awareness of review bodies, such as the CPC, had increased from 33% in 2008 to 61% in 2010. • The CPC has expanded website capabilities and improved ease of navigation. All reports on the CPC website are in user-friendly formats, with its annual reports available in PDF, XHTML and Flipbook. • Although public awareness has increased, the CPC understands that many members of communities policed by the RCMP are not aware that they have recourse to an independent third party in relation to complaints against RCMP members. The CPC will continue to focus on increasing public awareness of its existence particularly in relation to more marginalized communities.		
Priority	**Type**	**Strategic Outcome**
Strengthen the complaint and review processes.	On-going	RCMP members are held publicly accountable for their conduct in the performance of their duties.
Status: Mostly Met		
• The CPC has continued to track all complaints received whether lodged with the RCMP, the CPC or a provincial authority. • In order to meet its service standards while facing an increased number of complaints, the CPC has retained highly qualified additional staff with the support of interim funding. • The CPC launched a number of public interest investigations in relation to high profile incidents including one into the G8/G20 events. • The CPC faced delays in the procurement of a new Business Process Management System; this was one of its key planned activities in support of strengthening the complaint and review processes.		
Priority	**Type**	**Strategic Outcome**
Improve the relevance of review recommendations and identify complaint trends.	On-going	RCMP members are held publicly accountable for their conduct in the performance of their duties.
Status: Met All		
• The CPC's Review of the Record project continues to be an important public reporting and management tool in identifying areas of the public complaint system requiring further attention by the RCMP. • The CPC has continued to conduct trends analysis as well as generate specialized reports. • In addition to the Review of the Record report, the CPC issued a report entitled *RCMP Use of the Conducted Energy Weapon (CEW)* and a submission to the Yukon Police Review that included a detailed review of all complaints originating from the Yukon.		

Priority	Type	Strategic Outcome
Support management excellence.	On-going	RCMP members are held publicly accountable for their conduct in the performance of their duties.
Status: Mostly Met		
• The Office of the Comptroller General conducted a core control audit of the CPC. The objective of the audit was to ensure that core controls over administration in financial management and contracting within the CPC are effective. Although areas for improvement were recommended, the Office of the Comptroller General found that the CPC has complied with the legislation, policies, and directives in the areas of financial management. The CPC has developed a management action plan that builds on the findings of the audit to support management excellence.		
Priority	**Type**	**Strategic Outcome**
Maintain a workplace of choice.	On-going	RCMP members are held publicly accountable for their conduct in the performance of their duties.
Status: Met all		
• CPC employees participated in a national work-life and well-being study which was conducted by Dr. Linda Duxbury and Dr. Chris Higgins. The overall conclusion of the study was that the CPC can be considered a "best practice" employer, especially when it comes to issues regarding work-life balance.		

Performance/Priority Status Legend

Exceeded: More than 100 per cent of the expected level of performance for the expected result or priority.

Met all: 100 per cent of the expected level of performance for the expected result or priority.

Mostly met: 80 to 99 per cent of the expected level of performance for the expected result or priority.

Somewhat met: 60 to 79 per cent of the expected level of performance for the expected result or priority.

Risk Analysis

In order to foster an organizational culture that supports risk-informed decision-making, focuses on results, and enables the consideration of both opportunity and innovation, the CPC, as part of its annual planning process, conducts a risk assessment and identifies appropriate actions to mitigate any identified risks. Risks and related mitigation strategies are also regularly discussed at senior executive committee meetings. In setting its plans and priorities for 2010–2011, the CPC considered key factors that could influence its direction and risks that could impact on its ability to achieve the results it is working towards. It identified and assessed a number of risks that had the potential to impede progress and developed mitigation strategies to address them.

In setting out its plans for 2010–2011, the following risk and mitigation strategies were identified:

Insufficient Funding

There was a risk that the CPC would not receive its requested interim funding from Treasury Board, which was needed to continue its critical work in the areas of outreach, strategic policy and research, as well as to meet any surge in complaints, reviews or special investigations. The CPC received $2.7M in interim funding from the Treasury Board's Management Reserve; therefore, the risk did not materialize.

Recruitment and Retention of Key Staff

Given its temporary funding situation, the CPC faced the risk of not having sufficient human resources, due to retention and recruitment challenges. To mitigate this risk, the CPC maintained its integrated business and human resources planning and continued its workplace of choice activities. A classification and staffing strategy was put in place to address organizational changes and recruitment/staffing pressures.

The investments in workplace of choice tools, such as performance management agreements emphasizing "how" results are achieved, leadership development and an enhanced learning policy have paid off with the retention of key staff and success with recruitment activities. In fact, a recent national work-life and well-being study identified the CPC as a "best practice" employer, especially when it comes to issues regarding work-life balance.

Summary of Performance

2010–11 Financial Resources ($ thousands)

Planned Spending*	Total Authorities	Actual Spending
5,388	8,394	7,464

2010–11 Human Resources (full-time equivalents—FTEs)

Planned	Actual	Difference
40	57	17

Strategic Outcome: RCMP members are held publicly accountable for their conduct in the performance of their duties.

Performance Indicators	Targets	2010–11 Performance
Recommendations were accepted by the RCMP and have been implemented.	100%	In the review of complaints, the CPC issued 223 reports in 2010–2011. During the same period, the Commissioner of the RCMP delivered 38 Commissioner's Notices wherein he agreed with 84% of the CPC's adverse findings and accepted 90% of the CPC's recommendations.

Program Activity	2009–10 Actual Spending ($ thousands)	2010–11[2] ($ thousands)				Alignment to Government of Canada Outcome
		Main Estimates	Planned Spending*	Total Authorities	Actual Spending	
Civilian review of RCMP members' conduct in the performance of their duties.	3,081	3,299	3,299	3,639	3,236	**Social Affairs** Safe and Secure Communities
Total	3,081	3,299	3,299	3,639	3,236	

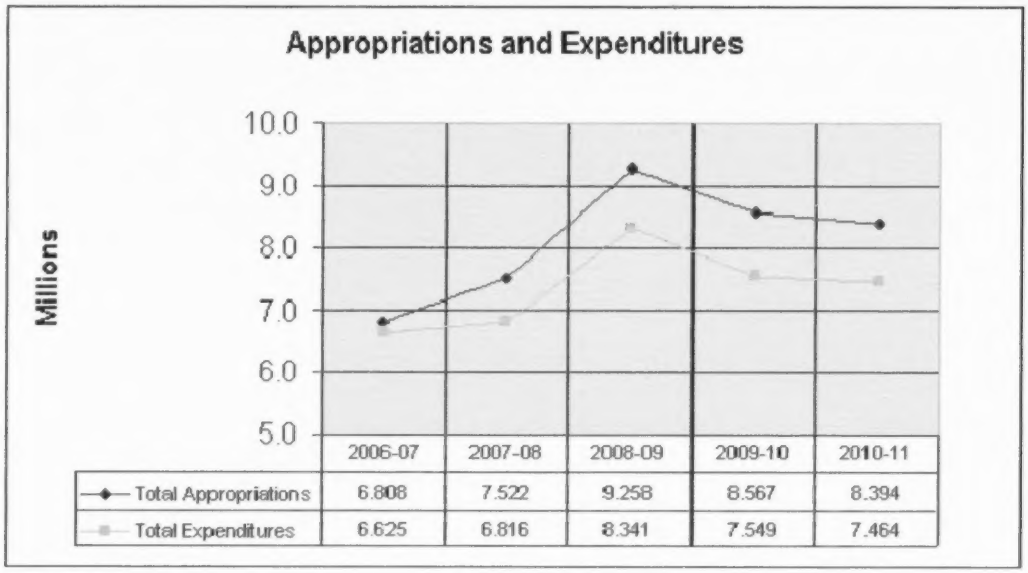
Program Activity	2009–10 Actual Spending ($ thousands)	2010–11 ($ thousands)			
		Main Estimates	Planned Spending*	Total Authorities	Actual Spending
Internal Services	4,468	2,089	2,089	4,755	4,228

* Planned spending was based on Main Estimates and did not include interim funding.

2. Commencing in 2009–2010, the resources for program activity: Internal Services are displayed separately from other program activities; they are no longer distributed among the remaining program activities, as was the case in previous Main Estimates. This has affected the comparability of spending and FTE information by program activity between fiscal years.

Expenditure Profile

Departmental Spending Trend ($ millions)



Estimates by Vote

For information on our organizational votes and/or statutory expenditures, please see the publication, *Public Accounts of Canada 2010* (Volume II). An electronic version of this publication is available on the Public Works and Government Services Canada website.[3]

3. See *Public Accounts of Canada 2010*, http://www.tpsgc-pwgsc.gc.ca/recgen/txt/72-eng.html.

Section II: Analysis of Program Activities by Strategic Outcome

Strategic Outcome: RCMP members are held publicly accountable for their conduct in the performance of their duties.

Program Activity: Civilian review of RCMP members' conduct in the performance of their duties.

Program Activity Description

The CPC conducts reviews of complaints received from the public about the conduct of RCMP members in the performance of their duties. When complainants are not satisfied with the RCMP's handling of their complaints, they can request a review of their case by the CPC. In reviewing these complaints, the CPC may conduct hearings and investigations, and reports on its findings and makes recommendations to the RCMP Commissioner and Minister of Public Safety.

2010–11 Financial Resources ($ thousands)

Planned Spending*	Total Authorities	Actual Spending
3,299	3,639	3,236

* Planned spending was based on main estimates and did not include interim funding.

2010–11 Human Resources (FTEs)

Planned	Actual	Difference
28	31	3

Expected Results	Performance Indicators	Targets	Performance Status
Improve access to and openness of the public complaint process.	The percentage of complaints received from the public directly by the CPC is increased.	Annual increase of 5%	Mostly Met

Performance Summary and Analysis of Program Activity

In 2010–2011, the CPC received 74% of all complaints directly from the public with the RCMP receiving the rest; this represents a 4% increase from 70% in 2009–2010. Both the overall number of complaints and the number of complaints sent directly to the CPC has continued to increase annually. The CPC's National (complaint) Intake Office in Surrey, BC, processed 3,904 general enquiries, alternative dispute resolutions and formal complaints against the RCMP in 2010–2011. Of these, 1,818 were complaints, 154 were resolved through alternative dispute resolution and 1,932 were general enquiries. The CPC continues to emphasize its internal performance-based service standards, consistent with its view that to be effective, it is imperative that review be timely. It is in furtherance of this principle that the CPC recommends, as it has in the past, that the RCMP apply service standards to its response times, with the goal in mind that the complaint investigation and review be completed within one year.

The CPC has steadily increased its outreach capability. Engagement with key stakeholder groups, such as municipal associations, police boards, provincial oversight bodies and Aboriginal groups, is vital to helping increase awareness of an individual's ability to initiate a complaint against the conduct of an RCMP member. An EKOS study undertaken in May 2010 concluded that 65% of people are comfortable bringing complaints to the CPC.

The CPC has continued to conduct trends analysis and generate specialized reports. The CPC's Review of the Record project, an annual in-depth examination of the entire RCMP public complaint system, continues to be an important public reporting and management tool in identifying areas in the public complaint system requiring further attention by the RCMP.

The CPC issued a report entitled *RCMP Use of the Conducted Energy Weapon (CEW)* and a submission to the Yukon Police Review that included a detailed review of all complaints originating from the Yukon. The CPC's review of the RCMP Use of Conducted Energy Weapon (TASER®), which examined 696 TASER® usage reports, concluded that usage (i.e. threatened or actual deployment of weapon) dropped 38% in 2009, and continued a downward tread evidenced in previous years.

The CPC also continued its research into areas of particular concern to the public. The CPC has the Multiple Complaint Member Project, which functions as an early warning system designed to identify RCMP members who are subject to three or more public complaints, where the allegations are serious in nature (e.g. improper use of force, improper use of firearms) within a 12-month period. Once a member is identified under the current criteria, the CPC shares this information with the RCMP, which is then able to communicate the information to the relevant division and/or detachment.

Lessons Learned

Over the past several years, a number of independent inquiries and task forces have all recommended enhanced civilian oversight of the RCMP. The government introduced Bill C-38 on June 14, 2010, which set out to create a new RCMP review and complaint commission with expanded powers. Bill C-38 did not advance beyond first reading before the 2011 federal election call.

During this period, the goal of the CPC has been to ensure that it is providing the best possible service to the public under the existing legislative framework in order to better position itself to meet expectations under a new mandate.

To this end, the CPC has:

- structured its organization to streamline processes;
- implemented and respected service standards (while urging the RCMP to do the same);
- focused more resources on outreach; and
- focused on trends analysis (e.g. use of conducted energy weapons, police investigating the police, and data analysis on complaints nationally and by region).

The CPC believes these types of initiatives are encouraging the RCMP to improve its internal handling of individual complaints, as well as to implement national policies that will hopefully lead to better training, and consequently to fewer incidents of conflict with the public.

This would not have been possible without interim funding over and above the CPC's resource base, which has been approved by the government over the past four years.

Program Activity: Internal Services

Program Activity Descriptions

Internal Services are groups of related activities and resources that are administered to support the needs of programs and other corporate obligations of an organization. These groups are: Management Services; Communications Services; Legal Services; Human Resources Management Services; Financial Management Services; Information Management Services; Information Technology Services; Materiel Services; Acquisition Services; and Travel and Other Administrative Services. Internal Services include only activities and resources that apply across an organization and not those provided specifically to a program.

2010–11 Financial Resources ($ thousands)

Planned Spending*	Total Authorities	Actual Spending
2,089	4,755	4,288

* Planned spending was based on main estimates and did not include interim funding.

2010–11 Human Resources (FTEs)

Planned	Actual	Difference
12	26	14

Section III: Supplementary Information

Financial Highlights

Condensed Statement of Financial Position
As at March 31, 2011 ($ thousands)

	% Change	2010–11	2009–10
Total assets	82%	607	333
Total liabilities	28%	1,170	911
Equity of Canada	-3%	(563)	(578)
Total	82%	607	333

Condensed Statement of Operations
For the year ended March 31, 2011 ($ thousands)

	% Change	2010–11	2009–10
Total expenses	6%	8,437	7,980
Total revenues	17%	14	12
Net cost of operations	6%	8,423	7,969

Financial Statements

The CPC's Financial Statements for the reporting period can be viewed on the CPC's website at: http://www.cpc-cpp.gc.ca/prr/dpr/finS-eFin1011-eng.aspx.

List of Supplementary Information Tables

All electronic supplementary information tables found in the *2010–11 Departmental Performance Report* can be found on the Treasury Board of Canada Secretariat website.[4]

4. See 2010–11 Part III—Departmental Performance Reports (DPR): Supplementary Information (Tables), http://www.tbs-sct.gc.ca/dpr-rmr/2010-2011/index-eng.asp.

Section IV: Other Items of Interest

Organizational Contact Information

By e-mail:

complaints@cpc-cpp.gc.ca (for complaints)

reviews@cpc-cpp.gc.ca (for reviews)

org@cpc-cpp.gc.ca (for general enquiries)

By telephone:

From anywhere in Canada: 1-800-665-6878
TTY: 1-866-432-5837

By fax:

604-501-4095

By mail:

P.O. Box 88689
Surrey, BC V3W 0X1

On the Web:

http://www.cpc-cpp.gc.ca/